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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 4-2-07

Name: Magdalena O. Cilella, Ph.D.

Signature: Magdalena Cilella

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Shigeru Kawano and Yoshihiko Yasohara

Appln. No.: 10/557,601 10/577,601

Filed: April 27, 2006

For: NOVEL ACETOACETYL-COA REDUCTASE AND
PROCESS FOR PRODUCING OPTICALLY
ACTIVE ALCOHOL

Attorney Docket No: 5404-147

Examiner: N/A

Art Unit: 1632

Commissioner for Patents

P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Supplemental Information Disclosure Statement; Form PTO-1449 with required references B1-B5 and copy of Partial Supplementary European Search Report.

Return Receipt Postcard.

Fee calculation:

No additional fee is required.

An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$25=			x \$50=
Indep.		Minus			x 100=			x \$200=
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=
					Total	\$	Total	\$

Fee payment:

A check in the amount of \$_____ is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.

Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Magdalena Cilella
Magdalena O. Cilella, Ph.D. (Reg. No. 56,619)

Date

April 2, 2007

BRINKS HOFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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Magdalena O. Cilella, Ph.D.

Name of applicant, assignee or
Registered Representative

Magdalena Cilella

Signature

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

FOREIGN DOCUMENTS

DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY
EP 0 955 375 A1	11-10-1999	EP
WO 99/36547	07-22-1999	PCT

OTHER DOCUMENTS

Parkhill, et al. "Comparative Analysis of the Genome Sequences of <i>Bordetella Pertusis</i> , <i>Bordetella Parapertussis</i> and <i>Bordetella Bronchiseptica</i> ," <i>Nature Genetics</i> , 35(1):32-40 (2003)
Database UniProt (Online) "Acetoacetyl-CoA reductase," XP002422295, retrieved from EBI accession no. UNIPROT:Q7WGJ4 (2003)
Database JPO Proteins (Online) "Process for producing optically active 4-halo-3-hydroxybutyrate," XP002422296, retrieved from EBI accession no. JPOP:E87483 (2002)

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

For purposes of 37 C.F.R. §1.704(d), Applicant certifies that each item of information contained in this Statement was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated

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Appn. No. 10/577,601.

Attorney Docket No. 5404/147

with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

April 2, 2007

Date

Magdalena Cilella

Magdalena O. Cilella, Ph.D.
(Reg. No. 56,619)



FORM PTO-144917 PATENT & TRADEMARK OFFICE	SERIAL NO. 10/577,601 10/557,601	CASE NO. 5404/147
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE April 27, 2006	GROUP ART UNIT 1632
APPLICANT(S): Kawano and Yasohara		

REFERENCE DESIGNATION **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
B1	EP 0 955 375 A2	11-10-1999	EP		
B2	WO 99/36547	07-22-1999	PCT		

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>		
	B3	Parkhill, et al. "Comparative Analysis of the Genome Sequences of <i>Bordetella Pertusis</i> , <i>Bordetella Parapertussis</i> and <i>Bordetella Bronchiseptica</i> ," <i>Nature Genetics</i> , 35(1):32-40 (2003)	
	B4	Database UniProt (Online) "Acetoacetyl-CoA reductase," XP002422295, retrieved from EBI accession no. UNIPROT:Q7WGJ4 (2003)	
	B5	Database JPO Proteins (Online) "Process for producing optically active 4-halo-3-hydroxybutyrate," XP002422296, retrieved from EBI accession no. JPOP:E87483 (2002)	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.